

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 278 of 1992

The Wallace Flour Mills Co. Ltd. .. Plaintiff

Vs.

M/s. J.M. Chheda & Co. .. Defendant

M.B. Madekar for Plaintiff.

None for defendant.

CORAM: S.K. SHAH, J.

DATE : 28th June, 2006.

P.C.

This suit is undefended suit. The plaintiffs have filed the affidavit of evidence alongwith the documents.

The plaintiffs have filed the suit for recovery of the amount of goods sold and supplied to the defendants. The plaintiffs were having running account of the defendants. On the basis of the accounts an amount of Rs. 1,91,388.15 was due and payable from the defendants. By letter dated 30/4/91 the plaintiffs have made demand of the said amount of Rs. 1,91,388.15 alongwith interest @ 18% per annum. The defendants neither replied to the said letter nor made the payment. Therefore they have filed the suit. The affidavit of evidence is filed alongwith the statement of account which have been verified and confirmed by the person who has filed the affidavit. The plaintiffs have filed the copy of documents and stated that they are true as per the records. The statement of account shows that an amount of Rs. 1,91,388.15 was due and payable by the defendants to the plaintiffs. The

plaintiffs have also produced the letter dated 19th July, 1990 and 30th April, 1991 addressed to the defendants making the demand of payment.

Under the circumstances the plaintiffs have established their case. The suit is decreed in terms of prayer clause (a) with costs. Decree be drawn accordingly.

(S. K. SHAH, J)